

## United States Patent and Trademark Office

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/784,884	02/16/2001	Thomas S. Buszta IR 3593 NP		5207	
7	7590 10/23/2002				
Gilbert W. Rudman			EXAMINER		
ATOFINA Che Patent Departn	emicals, Inc. nent - 26th Floor	MEDLEY, MARGARET B			
2000 Market Street Philadelphia, PA 19103-3222			ART UNIT	PAPER NUMBER	
•			1714	a	
			DATE MAILED: 10/23/2002		

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

1) Responsive to communication(s) filed on  2a) This action is FINAL. 2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-10 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) is/are allowed.  6) Claim(s) is/are rejected.  7) Claim(s) is/are objected to.  8) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12) The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) a) The translation of the foreign language provisional application has been received.					6.
Examin r    Margaret B. Mediey			Application No.	plicant(s)	
### Margaret B. Mediey   1714    ### The MAILING DATE of this communication app ars on the cover she t with the correspondence address = Period for Reply    A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Educations of time may be available used the provisible used the provisible used the provisible used the foreign of the communication. Provided after SIX (6) MONTHS from the mailing date of this communication of the Period of the provision of Claims    ### Application of Claims    ### Application of Claim(S)   1-10 Is/are pending in the application.  ### Application of Claim(S)   1-10 Is/are pending in the application.  ### Application of Claim(S)   1-10 Is/are pending in the application.  ### Application of Claim(S)   1-10 Is/are pending in the application.  ### Application of Claim(S)   1-10 Is/are pending in the application.  ### Application of Claim(S)   1-10 Is/are pending in the application.  ### Application of Claim(S)   1-10 Is/are pending in the application.  ### Application of Claim(S)   1-10 Is/are pending in the application.  ### Application of Claim(S)   1-10 Is/are pending in the application.  ### Application of Claim(S)   1-10 Is/are pending in the application.  ### Application of Claim(S)   1-10 Is/are pending in the application.  ### Application of Claim(S)   1-10 Is/are pending in the application.  ### Application of Claim(S)   1-10 Is/are pending in the application.  ### Application of Claim(S)   1-10 Is/are pending in the application.  ### Application of Claim(S)   1-10 Is/are pending in the application.  ### Application of Claim(S)   1-10 Is/are pending in the application.  ### Application of Claim(S)   1-10 Is/are pending in the application.  ### Application of Claim(S)   1-10 Is/are pending in the application and Is/are pending in the application in the application and Is/a	. Office Action Summary		09/784,884	BUSZTA ET AL.	
Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Editacistics of time may be available under the provision of 37°CF1 135(s). In no event, however, may a reply be timely filled after SIX (6) MONTHS from the mailing date of this communication.  If the period for reply specified above is least han thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered firmely.  If the period for reply specified above is least han thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered firmely.  If the period for reply specified above is least han thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered firmely.  If the period for reply specified to reply within the set or extended behalf of the reply with the statutory minimum of thirty (30) days will be considered firmely.  Failure to reply within the set or extended behalf for reply will by statute, cause the application to become ABANDONED (38 U.S. C. § 133).  Any trypt received by the Office later than three monits after the miniling date of this communication, even if timely filed, may reduce any example attent term adjustment. See 37 CFR 1.704(b).  Status  1) Responsive to communication(s) filed on			Examin r	Art Unit	
Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Edensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed at whe 37 (6, 10 KONTH'S from the malling fals of this communication.  If INO period for reply it is specified above, the maximum elability period will apply and will explice SIX (5) MONTH'S from the mailing date of this communication.  Failure for reply within the soft condended period for reply will, by statute, cause the application to become ABANDONE (58 U.S. C. 133).  Any poly received by the Office later than these received and will explice a file of the communication.  Failure for reply within the soft or condended period for reply will, by statute, cause the application to become ABANDONE (58 U.S. C. 133).  Any poly received by the Office later than these receives the three mailing date of this communication, even if timely filed, may reduce any status.  Status  Status  2a)			· ·		
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Attachment(s)	`		• •		
	Attachment	(s)			
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s)	2) 🔲 Notic	e of Draftsperson's Patent Drawing Review (PTO-948)	5) Notice of Informal I		

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## **DETAILED ACTION**

The disclosure is objected to because of the following informalities: The term DBzHA should be corrected in line 6 of the first column of Table 2 on page 11 of the instant application.

Appropriate correction is required.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Do Color Claims 1 and 4-9 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by Roof et al 6,342,647 B1, see Examples 5 and 6 of Table I and claim 1 for a combination of short stopping composition for polymers that anticipates instant claims 1 and 4-9.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 6-10 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Jackson 4,293,672 for mixtures of the preferred hydroxyl amines (col. 3, lines 40-45) that include the mixture of instant claim 10 and anticipate the instant claims s and 6-10.

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Claims 1 and 6-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Miller 4,654,450 (see col. 3, lines 11-15) for mixtures of the preferred hydroxylamines of instant claim 10 and anticipates the instant claims 1 and 6-10.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jackson 4,293,672.

Jackson teaches various hydroxylamines for stabilizing polyester resins (col. 3, lines 23-29). The preferred hydroxylamines include diethylhydroxylamine, dibutyloxylamine, diebenzyloxylamine, etc. and mixtures thereof (col. 3, lines 40-45). It would be obvious to the artisan in the art to select mixtures of the preferred hydroxylamines to render claim mixtures obvious. It further would be obvious to the artisan in the art to select a mixture of hydroxylamines and to use a conventional ratio of 50 to 50 that render obvious the ratios of instant claims 4-5.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller 4,654,450.

Jackson teaches various hydroxylamines for inhibiting polymerization of vinyl monomers, (abstract, col. 2, line 60 to col. 3, lines 1-15). The preferred hydroxylamine includes diethylhydroxylamine and dibutylhydroxylamine (col. 3, lines 11-14). Jackson further teaches that two or more of the said hydroxylamines may be used in

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combination (col. 3, lines 14-15). It would be obvious to the artisan in the art to use a combination of the preferred hydroxylamines to render claim 10 obvious. It is further disclosed by patentee that the hydroxylamines may be prepared as a solution rendering instant claims 2-3 obvious. It further would be obvious to the artisan in the art to select a mixture of hydroxylamines and to use a conventional ratio of 50 to 50 that render obvious the ratio of instant claims 4-5.

The prior art cited but not applied further teaches hydroxylamines, phenol and nitroxides of the same nature as claimed by applicant.

Any inquiry concerning this communication from the examiner should be directed to Margaret B. Medley whose telephone number is (703) 308-2518. The examiner can generally be reached on Monday-Friday from 7:30 a.m. to 6:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on (703) 306-2777. The fax phone numbers for the organization where this application is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application should be directed to the receptionist whose telephone number is (703) 308-0661.

M.B. Medley/dh October 21, 2002